



# *City of Granite City*

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## ***Board of Appeals***

### ***MINUTES***

***April 7, 2010***

The Granite City Board of Appeals met on Wednesday, April 7, 2010. Acting Chair Sam Akeman called the meeting to Order at 7:00 PM.

Members Present: Sam Akeman, Debbie Smith, Kayleen Johnston and Evelyn Harris. Also present were: Alderman Dan McDowell, Steve Willaredt, Zoning Administrator and Laura Andrews, Assistant City Attorney. Excused absences: Douglas Conrad and Alan Milton.

#### **PETITION: Ray Herrin Construction**

The Acting Chair began by introducing the Petitioner, Ray Herrin, and swearing him in. He stated the Board of Appeals is a recommending body to the City Council and they will have the final determination at the next meeting scheduled for April 20, 2010.

Mr. Herrin stated he would like to construct a new home at 4038 Braden Street. The location is presently a 50 X 150 vacant lot on the corner of Braden Street and Oakland Avenue and he is requesting a variance in the setback requirement.

Mr. Willaredt explained at issue is the fact that the lot is a corner parcel, with double frontage, which by Ordinance requires a 25 ft. setback. The Petitioner requests a 15 or 16 ft. variance in order to construct the new home. Blue Prints of the design of the home were displayed for the Board to review.

The Acting Chair called for objections or comments. Assistant City Attorney, Laura Andrews, asked the Petitioner if the parcel highlighted on the map obtained from the Madison County Website was the lot in question. Mr. Herrin replied it is; however, the adjacent properties are no longer vacant lots. This new home construction will be the last of 10 homes he has constructed in the area.

Debbie Smith stated all of the homes are really nice and the Petitioner has greatly improved the neighborhood. No further discussion.

**MOTION** to approve the variance setback request was made by Debbie Smith and seconded by Kayleen Johnston. Roll Call vote. All ayes. Motion carried by unanimous consent.

#### **NEW BUSINESS**

None voiced.

**OLD BUSINESS**

Steve Willaredt reported Zoning Ordinance 3818 has been updated and copies can be obtained after the meeting in his office.

**ADJOURN**

A motion to adjourn was made by Debbie Smith and seconded by Sam Akeman. Motion carried by unanimous consent.

Submitted by,

A handwritten signature in cursive script, appearing to read "Barbara Hawkins".

Barbara Hawkins  
Secretary, Board of Appeals

## ***BOARD OF APPEALS ADVISORY REPORT***

**PETITIONER:** Ray Herrin Construction

**LOCATION:** 4038 Braden Street

**REQUEST:** An approximate 15 ft. setback variance request on the Oakland Avenue side of property for new home construction in a R-2.

### **FINDINGS OF FACT:**

1) Proposed variance is consistent with general Purpose of the ordinance Section 1-1:

**Yes**

2) The strict application of the district requirements would result in great practical difficulties or hardship to the applicant, and prevent reasonable return on property:

**Yes**

3) The proposed variance is the minimum deviation from such requirements that will alleviate the difficulties/hardship, and allow a reasonable return on the property:

**Yes**

4) The plight of the applicant is due to peculiar circumstances not of his own making:

**N/A**

5) The peculiar circumstances engendering the variance request are not applicable to other property within the district, and therefore, that a variance would be a more appropriate remedy than an amendment (re-zoning):

**Yes**

6) The variance, if granted, will not alter the essential character of the area where the premises in question are located nor materially frustrate implementation of this Municipality's Comprehensive Plan:

**Yes**

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**Motion** by Debbie Smith and seconded by Kayleen Johnston to approve the Petitioner's request.

**PETITION:** Request for an approximate 15 ft. setback variance in order to construct a new home in a district zoned R-2.

### **ROLL CALL:**

Sam Akeman	Yes
Debra Smith	Yes
Evelyn Harris	Yes
Kayleen Johnston	Yes

**ALL AYES – MOTION PASSED UNANIMOUSLY**

**Date of Hearing: April 7, 2010**